

02/15/02

jc784 U.S. PTO

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

0045-1

Total Pages

20

First Named Inventor or Application Identified

Inventors: James Edward Brehove

Invention: Topical Application For Treating Toenail Fungus

Express Mail Label No.

EK702453135US

11017 U.S. PTO  
10/07/02

02/15/02

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27
3. ☒ Specification [Total Pages **17**]  
(preferred arrangement as set forth below)  
- Descriptive title of the Invention  
- Cross References to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing Appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☐ Drawing(s) (35 USC 113) [Total Sheets  ]
5. Oath or Declaration [Total Pages **2**]  
a. ☒ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation divisional with Box 17 completed)  
[Note Box 5 below]  
i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior  
application, see 37 CFR 1.63(d)(2) and  
1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. ☐ Specification Sequence Listing On:  
I. ☐ CD-ROM or CD-R (2 copies); or  
II. ☐ Paper  
c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: Express Mail Certification

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: \_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

NAME	Ernest D. Buff				
	Ernest D. Buff & Associates, LLC				
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## FEE TRANSMITTAL For FY 2001

*Patent Fees are subject to annual revision.*

### Complete if Known

Application Number	
Filing Date	
First Named Inventor	James Edward Brehove
Examiner Name	
Group Art Unit	
Attorney Docket Number	0045-1

**TOTAL AMOUNT OF PAYMENT** (\$) **37000**

### METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is authorized to charge indicated fees and credit any over payments to:

Deposit Account Number →

Deposit Account Name → Ernest D. Buff And Associates LLC

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17
- ☐ 37 CFR 1.16 and 1.17 the Notice of Allowance

2. ☒ **\*Payment Enclosed:**  
☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	370.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)** (\$) **370.00**

#### 2. Extra Claim Fees

	Extra	Fee From below	Fee Paid
Total Claims	16	20 = 0 X 9 =	0.00
Independent Claims	2	3 = 0 X 40 =	0.00
Multiple Dependent Claims	0	0 X 0 =	0.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Indep. claims in excess of 3
104	270	204	135	Multiple dependent claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) **0.00**

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provision filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.29(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$) **00.00**

### SUBMITTED BY:

Complete (if applicable)

Typed or Printed Name	Ernest D. Buff	Reg. Number	25,833
Signature		Date	2/15/02
		Deposit Account User ID	

2007531-021502

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: James Edward Brehove Group Art Unit: Not Yet Assigned  
Serial No.: Not Yet Assigned Examiner: Not Yet Assigned  
For: **TOPICAL APPLICATION FOR TREATING TOENAIL FUNGUS**  
Attorney Docket No.: 0045-1

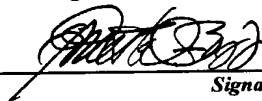
Ernest D. Buff & Associates, LLC  
245 South Street  
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(973) 644-0008  
February 15, 2002

Assistant Commissioner For Patents  
Box Patent Application  
Washington, DC 20231

Sir:

**Certificate of Mailing by Express Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope bearing Express Mail Label No. EK702453135US addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231 on February 15, 2002.



*Signature*

**Ernest D. Buff**

*Attorney of Record*

February 15, 2002

*(Date)*

1007521-021502